



October 23, 2023

EN-23-09-85

James Meyers
140 E 161st St
Westfield, IN 46074

To Owner,

The Community Development Department (the "Department") of the City of Westfield, received a complaint that there is an Office, Construction, Trade business and/or storage for the Office, Construction, Trade business occurring at the property located at **140 E 161st St, (Parcel No. 08-09-11-00-00-001.101) Westfield, Indiana 46074** (the "Property"). For reference, this property is zoned Agriculture/Single-family District ("AG-SF1"). Below states that an Office, Construction, Trade businesses being operated within the Agriculture/Single-family district is in violation of the Westfield-Washington Township Unified Development Ordinance (the "UDO"). Additionally, lights at the rear of the property that are shining onto adjacent properties is not permitted and shall be shielded or removed.

UDO Chapter 12.1: Definitions

Office, Construction Trade: Electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, landscaping contractors, and plumbing contractor offices, and the like, where such use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, parking of company vehicles, service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales.

UDO Chapter 6.7: Home Business Standards

3. Parking: No provision for off-street parking or loading facilities, other than the requirements of the applicable Zoning District, shall be permitted. No part of a minimum required Yard shall be used for offstreet parking or loading purposes. No additional driveway to serve the Home Business shall be permitted.

4. Exterior Storage or Display: There shall not be any exterior storage or display of products, trailers, equipment or materials used in connection with the Home Business. No external evidence of the Home Business shall be permitted

UDO Chapter 6.9: Lighting Standards

E. General Lighting Standards: The following standards shall apply:

1. All Light Fixtures, with the exception of internally-illuminated Signs or Electronic Signage, shall be Fully Shielded and direct light downward toward the earth's surface.
2. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.
3. All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent Lots and Rights-of-way.

UDO Chapter 6.12: Outside Storage and Display

B. Residential Districts:

1. Recreational Vehicles: Storage or parking of Recreational Vehicles shall be subject to the following conditions:

- a. No more than one (1) Recreational Vehicle or any towable vehicle shall be stored or parked outdoors on a residential parcel at any time.
- b. Shall be stored or parked: (i) behind the Lot's Established Front Yard; (ii) no closer to a Rear or Side Lot Line than three (3) times the maximum height of the vehicle, except when stored inside of a lawfully-erected structure that includes a roof and fully encloses the vehicle; and (iii) no closer than the required Side Yard setback line.
- c. Nonmotorized Recreational Vehicles may be stored on a Right-of-way for a period not to exceed four (4) days per month for loading and unloading of the vehicle.
- d. Shall not be occupied or used for living or sleeping purposes and shall not be connected to gas, electric, water or sanitary sewer service for purposes of living or sleeping.
- e. Shall not be parked or stored in a manner as to create a dangerous or unsafe condition on the property where parked or stored. Parking or storage while not locked or chocked, whether loaded or not, and the removal of wheels (except for immediate repairs), shall be considered a dangerous and unsafe condition.

2. Cross-Reference: Please note that *Westfield Code of Ordinances; Chapter 58-290 et seq.*, as amended, also applies to vehicles within the City's corporate limits.

The Office, Construction, Trade business activities and equipment that are occurring on the subject property shall cease immediately and the lighting on the rear structure shall be shielded, as to meet the lighting standards outlined above. Also no more than one (1) recreational vehicle, as defined, shall be stored or parked outdoors at any time. Please remedy all violations within fourteen (14) days, or further enforcement will occur. To discuss options that would permit such business activities, please reach out to Planners at planners@westfield.in.gov.

If you have any questions, I can be contacted at boliver@westfield.in.gov or 317-804-3180.

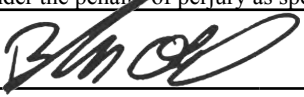
Regards,

A handwritten signature in black ink, appearing to read 'Boliver', with a stylized flourish at the end.

Brandon Oliver
Community Development Coordinator

Attach:

UDO Use Table
Business Web Page
Aerial GIS photos
Photos

COMPLAINT AND SUMMONS STATE OF INDIANA COUNTY OF HAMILTON CITY OF WESTFIELD <i>The undersigned having probable cause to believe and being duly sworn upon his oath says that on:</i>			Citation Number EN-23-09-85	
			Court	
			Cause Number	
			Docket No.	Page No.
Day of Week Monday	Day 23	Month October	Year 2023	Time 12:30 pm
Owner Name James Meyers				
Occupant Name				
Property Street Address 140 E 161st St				
City Westfield		State Indiana	Zip 46074	
Parcel I.D. Number 08-09-11-00-00-001.101				
DID UNLAWFULLY VIOLATE THE FOLLOWING PROVISIONS OF THE WESTFIELD CITY CODE				
Description of Offense UDO Chapter 13, Use Table: UDO Chapter 6.7 Home Business Standards: UDO Chapter 6.9 (E) General Lighting Standards: The storage and use of the property as a construction business and equipment is not permitted and the lights on the rear of the property shall not shine onto adjacent properties.				
Contrary to the form of the Local Ordinance in such case made and provided. Local Ordinance Number: Westfield-Washington Twp UDO				
<input checked="" type="checkbox"/> This is a WARNING. The violation must be cured within fourteen (14) days. (11/06/2023)				
I affirm, under the penalty of perjury as specified by I.C. 35-44-2.1, that the foregoing representations are true.				
Signature 				
Printed Brandon Oliver		Title Community Development Coordinator		
Approved by _____, Westfield City Attorney. Indiana 29th Judicial circuit on _____, 20____.				
<u>COURT APPEARANCE</u> Please sign in the spaced provided below and return this form to the City of Westfield, Zoning Administrator at 2728 E. 171st Street, Westfield, Indiana, 46704. I acknowledge that I have read this Complaint and Summons. I promise to appear as follows or be subject to penalties and/or fines.				
Court	Day	Month	Year	Time 12:30 pm
Court Address 135 S. 9th Street, Noblesville, Indiana 46060				
Signature				

6.12 Outside Storage and Display

- A. **Applicability:** This Article shall apply as an Accessory Use in all Zoning Districts, as set forth herein.

B. Residential Districts:

1. **Recreational Vehicles:** Storage or parking of Recreational Vehicles shall be subject to the following conditions:
 - a. No more than one (1) Recreational Vehicle or any towable vehicle shall be stored or parked outdoors on a residential parcel at any time.
 - b. Shall be stored or parked: (i) behind the Lot's Established Front Yard; (ii) no closer to a Rear or Side Lot Line than three (3) times the maximum height of the vehicle, except when stored inside of a lawfully-erected structure that includes a roof and fully encloses the vehicle; and (iii) no closer than the required Side Yard setback line.
 - c. Nonmotorized Recreational Vehicles may be stored on a Right-of-way for a period not to exceed four (4) days per month for loading and unloading of the vehicle.
 - d. Shall not be occupied or used for living or sleeping purposes and shall not be connected to gas, electric, water or sanitary sewer service for purposes of living or sleeping.
 - e. Shall not be parked or stored in a manner as to create a dangerous or unsafe condition on the property where parked or stored. Parking or storage while not locked or chocked, whether loaded or not, and the removal of wheels (except for immediate repairs), shall be considered a dangerous and unsafe condition.
2. **Cross-Reference:** Please note that [Westfield Code of Ordinances; Chapter 58-290 et seq.](#), as amended, also applies to vehicles within the City's corporate limits.

C. Business Districts: The following shall apply to Business Districts:

1. **Outside Storage:** Outside Storage shall only be permitted if delineated on an approved Development Plan and in accordance with the following:
 - a. **Size:** A Lot's Outside Storage area shall not exceed fifty percent (50%) of the Lot's Principal Buildings' gross floor area.
 - b. **Location:** Outside Storage areas:
 - i. Shall be located immediately adjacent to the Principal Building.
 - ii. Shall not encroach into any required Rear or Side Yard.
 - iii. Shall be prohibited in an Established Front Yard.
 - iv. Shall be delineated on an approved Development Plan.
 - c. **Screening:** Outside Storage areas shall be incorporated into the building's design as part of the Principal Building as follows:
 - i. Outside Storage areas shall be completely screened from view from any adjacent property or Right-of-way.
 - ii. Outside Storage areas shall be screened on all sides with a solid

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Basemap Gallery

2008



2010



2012



2014

2009



2011



2013



2015

(1 of 2)



Parcel Boundary (public): 08-09-11-00-00-001.101

FMTPRCLNO 08-09-11-00-00-001.101

TAX_YEAR

PLAT

EXPORTDATE 9/28/2023, 9:00 PM

LSTXFRDATE 12/5/2014, 12:00 AM

DEEDEDOWNR Meyers, James

LOCADDRESS 140 E 161st St

LOCHSENUMR 140

LOCSTRDIR E

LOCSTRNAME 161st

LOCSTRSUF St

LOCCITY Westfield

[Zoom to](#)

...





Basemap Gallery



2018



2019



2020



2021



2022



County
Basemap



(1 of 2)



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FMTPRCLNO	08-09-11-00-00-001.101
TAX_YEAR	
PLAT	
EXPORTDATE	9/28/2023, 9:00 PM
LSTXFRDATE	12/5/2014, 12:00 AM
DEEDEDOWNR	Meyers, James
LOCADDRESS	140 E 161st St
LOCHSENUMR	140
LOCSTRDIR	E
LOCSTRNAME	161st
LOCSTRSUF	St
LOCCITY	Westfield

[Zoom to](#)





Basemap Gallery



2018



2019



2020



2021



2022



County
Basemap



(1 of 2)

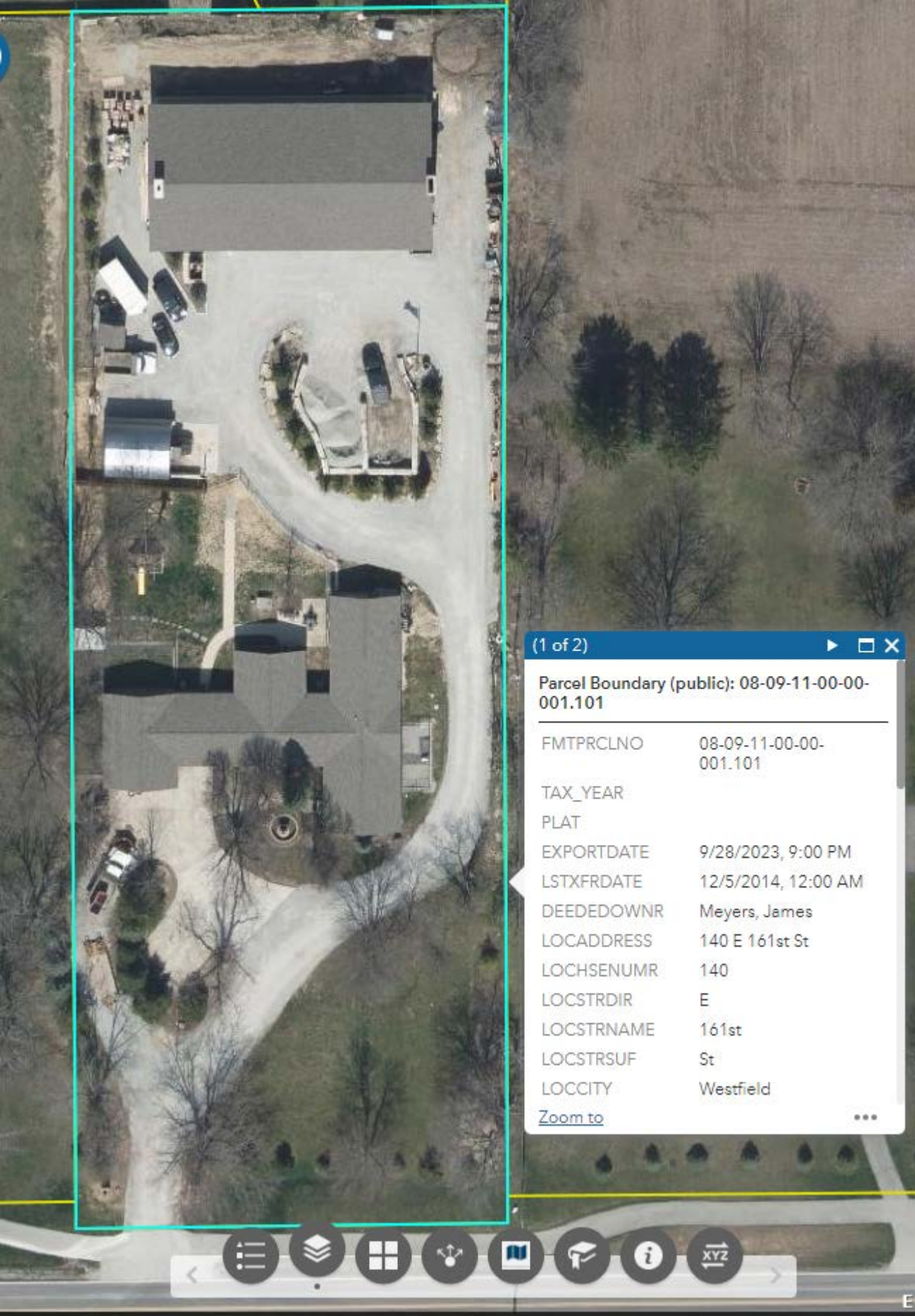


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LOCADDRESS	140 E 161st St
LOCHSENUMR	140
LOCSTRDIR	E
LOCSTRNAME	161st
LOCSTRSUF	St
LOCCITY	Westfield

[Zoom to](#)





(1 of 2)



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LOCSTRNAME	161st
LOCSTRSUF	St
LOCCITY	Westfield

[Zoom to](#)



Network: Oct 20, 2023 at 1:24:06 PM EDT
Local: Oct 20, 2023 at 1:24:06 PM EDT

Westfield IN 46074
United States



Network: Oct 20, 2023 at 1:26:11 PM EDT

Local: Oct 20, 2023 at 1:26:11 PM EDT

Westfield IN 46074

United States



Network: Oct 20, 2023 at 1:24:20 PM EDT
Local: Oct 20, 2023 at 1:24:20 PM EDT

Westfield IN 46074
United States



Network: Oct 20, 2023 at 1:23:59 PM EDT
Local: Oct 20, 2023 at 1:23:59 PM EDT

Westfield IN 46074
United States









Business Details

Print Entity Details

Business Name: J. MEYERS CONSTRUCTION, INC.

Entity Type: Domestic For-Profit Corporation

Creation Date: 07/31/2002

Principal Office Address: 140 E. 161ST ST, WESTFIELD, IN, 46074, USA

Jurisdiction of Formation: Indiana

Business ID: 2002081600083

Business Status: Admin Dissolved

Inactive Date: 04/24/2008

Expiration Date: Perpetual

Business Entity Report Due Date: 07/31/2004

Years Due: 2004/2005, 2006/2007, 2008/2009, 2010/2011, 2012/2013, 2014/2015, 2016/2017, 2018/2019, 2020/2021, 2022/2023

Incorporators Information

Title	Name	Address
Incorporator	JAMES MEYERS	140 E. 161ST ST, WESTFIELD, IN, 46074, USA
Incorporator	EVA MEYERS	140 E. 161ST ST, WESTFIELD, IN, 46074, USA

Page 1 of 1, records 1 to 2 of 2

Registered Agent Information

Type: Individual

Name: JAMES MEYERS

Address: 140 E. 161ST ST, WESTFIELD, IN, 46074, USA

☒ USDOT Number☐ MC/MX Number☐ Name

Enter Value:

Company Snapshot

JAMES MEYERS CONSTRUCTION INC

USDOT Number: 1705796

ID/Operations | [Inspections/Crashes In US](#) | [Inspections/Crashes In Canada](#) | [Safety Rating](#)

Carriers: If you would like to update the following ID/Operations information, please complete and submit form [MCS-150](#) which can be obtained [online](#) or from your State FMCSA office. If you would like to challenge the accuracy of your company's safety data, you can do so using FMCSA's [DataQs](#) system.

Carrier and other users: FMCSA provides the Company Safety Profile (CSP) to motor carriers and the general public interested in obtaining greater detail on a particular motor carrier's safety performance than what is captured in the Company Snapshot. To obtain a CSP please visit the [CSP order page](#) or call (800)832-5660 or (703)280-4001 (Fee Required).

For help on the explanation of individual data fields, click on any field name or for help of a general nature go to [SAFER General Help](#).

The information below reflects the content of the FMCSA management information systems as of 09/28/2023. [Carrier Registration Information Outdated](#). [Carrier VMT Outdated](#).

Other Information for this Carrier

♥ [SMS Results](#)

♥ [Licensing & Insurance](#)

Entity Type:	CARRIER		
Operating Status:	ACTIVE	Out of Service Date:	None
Legal Name:	JAMES MEYERS CONSTRUCTION INC		
DBA Name:			
Physical Address:	140 E 161ST ST WESTFIELD, IN 46074		
Phone:	(317) 867-1367		
Mailing Address:	140 E 161ST ST WESTFIELD, IN 46074		
USDOT Number:	1705796	State Carrier ID Number:	
MC/MX/FF Number(s):		DUNS Number:	--
Power Units:	2	Drivers:	2
MCS-150 Form Date:	11/06/2007	MCS-150 Mileage (Year):	
Operation Classification:			
<div><div>Auth. For Hire</div><div>Exempt For Hire</div><div>x Private(Property)</div><div>Priv. Pass. (Business)</div></div> <div><div>Priv. Pass.(Non-business)</div><div>Migrant</div><div>U.S. Mail</div><div>Fed. Gov't</div></div> <div><div>State Gov't</div><div>Local Gov't</div><div>Indian Nation</div></div>			
Carrier Operation:			
<div>Interstate</div> <div>Intrastate Only (HM)</div> <div>x Intrastate Only (Non-HM)</div>			
Cargo Carried:			
<div><div>General Freight</div><div>Household Goods</div><div>Metal: sheets, coils, rolls</div><div>Motor Vehicles</div><div>Drive/Tow away</div></div> <div><div>Liquids/Gases</div><div>Intermodal Cont</div><div>Passengers</div><div>Oilfield Equipment</div><div>Livestock</div></div> <div><div>Chemicals</div><div>Commodities Dry Bulk</div><div>Refrigerated Food</div><div>Beverages</div><div>Paper Products</div></div>			

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(317)-867-1367



JamesMeyersConcrete@gmail.com



James Meyers Concrete
140 E. 161st Street, Westfield, IN 46074



6.7 Home Business Standards

A. **Permitted:** Home Businesses shall be permitted in Zoning Districts as set forth in [CHAPTER 13: USE TABLE](#).

B. **Home Businesses:** Professional services and domestic occupations, crafts or services which, as typically carried out can be conducted in a Dwelling without impairment of the Use thereof as a place of residence and with no detrimental effect upon adjacent residential properties, are permitted Home Businesses. Examples of permitted Home Businesses include:

1. Art Studio.
2. Beauty Salon (one (1) chair operated by a resident).
3. Business conducted entirely by mail and/or web-based.
4. Seamstress or tailor.
5. Home garage sales not to exceed seven (7) days per year.
6. Home bound schools for twelve (12) or less full-time or part-time children including residents of the home.
7. Personal motor vehicle sales not to exceed two (2) vehicles per year.
8. Professional office of a clergyman, lawyer, architect, accountant, counselor, or consultant.
9. Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the Dwelling and performed by members of the family living in the Dwelling.
10. Teaching (e.g., musical instruments or dancing).
11. Office support services (e.g., data entry, research, telephone-based services).
12. Childcare home in accordance with [I.C. 36-7-4-1108](#).

C. **Zoning District Standards:** In addition to the standards set forth in this Article, permitted Home Businesses shall comply with all other standards set forth in the respective Zoning District.

D. **Home Business as an Accessory to Dwelling:** All Home Businesses shall comply with the following standards:

1. **Home Business Subordinate to Primary Use:** The Home Business shall be clearly incidental and subordinate to the primary residential Use of the Lot. The primary Use of the Dwelling shall remain residential.
2. **Primary Residence of Operator:** The operator of the Home Business shall make the Dwelling within which the Home Business is conducted their legal and primary residence.
3. **Activity Limited to Dwelling Unit:** All aspects of the Home Business activity that occur on the Lot shall be conducted within the Dwelling structure in which the operator makes their actual residence. For purposes of this Article, only areas completely enclosed by walls and

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under the same roof system as the living quarters shall be considered a part of the "Dwelling structure."

E. Residential Character: Any Dwelling containing a Home Business shall maintain its residential character in accordance with the following:

1. Structural Improvements:

- a. There shall be no room additions, enlargements, structural, or exterior aesthetic alterations that change the residential character of the Dwelling or Lot.
- b. There shall be no exterior, structural, or aesthetic alterations to the Dwelling to accommodate the Home Business that would affect the interior of the Dwelling and would render it undesirable for residential Use or habitation.
- c. There shall be no additional or separate exterior entrances to the Dwelling for the purpose of conducting business or to accommodate the Home Business.

2. Walk-in Retail Sales: Walk-in/walk-up retail sales shall not be permitted.

3. Parking: No provision for off-street parking or loading facilities, other than the requirements of the applicable Zoning District, shall be permitted. No part of a minimum required Yard shall be used for off-street parking or loading purposes. No additional driveway to serve the Home Business shall be permitted.

4. Exterior Storage or Display: There shall not be any exterior storage or display of products, trailers, equipment or materials used in connection with the Home Business. No external evidence of the Home Business shall be permitted.

5. Utilities: The Home Business shall not require the increasing or enhancing of the size, capacity, or flow of the water, gas, septic, sewer, electrical systems, or trash removal types or volumes beyond what is standard for a residence.

6. Equipment: The equipment used for the Home Business shall be limited to computers, fax machines, telephones, copy machines, other small office equipment, and other similar equipment that may typically be found in a Dwelling, as determined by the Director. Manufacturing operations shall be prohibited.

7. Gross Floor Area: No more than fifteen percent (15%) of the Gross Floor Area of structures on the Lot shall be used for a Home Business.

8. Signs: Signs shall comply with [Article 6.17 Sign Standards](#).

F. Additional Standards:

1. Vehicles: Except for purposes of loading and unloading, vehicles of one-ton capacity or more, or more than twenty (20) feet in length, shall not park on the Lot on which the Home Business is conducted or on any Street adjacent thereto.

2. Hours of Operation: Hours of operation shall not interfere with the use

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and enjoyment of adjacent residential properties.

3. **Employees:** The Home Business shall not involve the employment of any person that works in the Dwelling or on the Lot other than those residing in the Dwelling of the Home Business.
 4. **Nuisances:** No Home Business shall create electrical interference (e.g., interfere with local radio and television reception), odors, noise, vibration, light, smoke, fumes, or anything offensive.
- G. **Appeals:** Any Use purported as a Home Business may be deemed not permitted if, in a public hearing on the matter, the Board rules the Use to be a nuisance or that it does not comply with this Article. The Director or any person reasonably affected by the Home Business may request such a hearing in accordance with [Article 10.3 Appeals of Administrative Decisions](#).

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maintains medical records; and (5) may also provide other and similar medical or health service provided that no occupant requires physical restraint within the facility. A Nursing Home may include similar uses such as convalescent homes, maternity homes, rest homes, homes for the aged, and the like, if such Use complies with the above criteria.

Oo

Octave band: A narrow range of sound frequencies which classify sounds according to pitch. An Octave Band analyzer, an electrical device used with the sound level meter that sorts a complex noise or sound, divides the audible sound spectrum into eight (8) Octave Bands.

Office, Construction Trade: Electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, landscaping contractors, and plumbing contractor offices, and the like, where such Use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, parking of company vehicles, service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales.

Office, General Services: Employment services, temporary employment agency, investment firm, membership associations, secretarial service, consumer service offices, publishing corporate offices, reading clinic, service organization, title company, trade office, tailor or seamstress, interior decorator, philanthropic or charitable institution and travel agency, and the like.

Office, Medical: Dental clinic, medical clinic, optical clinic, general physician's office, hospital (minor) and veterinarian clinic (small animals and no outdoor runs), related labs and the like.

Office, Professional: An office used by members of a recognized profession such as accountants, architects, artists, Art Studio, engineers, lawyers, musicians, physicians, surgeons, pharmacists, and real estate or insurance agents and brokers.

Open Space: Land used for recreation, resource protection, amenity, and/or screening. Open Space may include Natural Areas, Parks, Development Amenities, Recreational Facilities, railroad corridors, Buffer Yards, public art spaces, interpretative sites, and performing art spaces. Open Space does not include medians in Rights-of-way or any area of land included on a Lot used for another primary Use such as residential or commercial. [See also [Article 8.6 Open Space and Amenity Standards.](#)]

Outlot: A Lot within a Nonresidential Center that typically abuts a Street on one (1) Lot Line and either a Street or other vehicular access (i.e., Private Street) shared with other Lots within the Nonresidential Center on another Lot Line.

Outside Sales Display: An outdoor arrangement of objects, items, products

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P = Permitted Use • SE = Special Exception • E = Excluded by Overlay • Blank = Prohibited Use

	ZONING DISTRICTS														OVERLAYS						
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]					EI	OI	SR 32	US 31
Office, Construction Trade												SE						P	P		E
Recycling Collector System											SE								P		E
Salvage Yard																			SE		E
Self-Storage Facility												SE						P	P		E
Trucking companies																		P	P		E
Warehousing and distribution operations (inside storage)																		P	P		E
Warehousing and distribution operations (outdoor storage)																			P		E
Wholesalers (inside storage)																		P	P		E
AGRICULTURE-RELATED USES																					
Agricultural Use	P																				
Agritourism Use (or Agritainment Use)	SE																				E
Auction barn for sale of livestock	SE																				E
Equestrian Facility	SE	SE																			E
Stable, Private	P																				
Nursery	P											P									E
Stockyard	SE																		SE		E
MISCELLANEOUS & TEMPORARY USES																					
Cemetery	P		P																		E
Farm Stand	P								SE	SE	SE	SE									E
Model Home		P	P	P	P	P	P	P	SE			SE									
Temporary Use and Event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
TRANSPORTATION & COMMUNICATION USES																					
Airport	SE																				E
Bus stations / transit stops												P						P			E